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PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 10036-2711

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OFFICE OF PETITIONS

In re Application of :
Levinson, et al. :
Application No. 10/004,633 :
Filed: December 4, 2001 :
Attorney Docket No. 7853-251-999 :

ON PETITION

This is a decision on papers styled "Petition Under 37 CFR 1.182 and 1.17(h)" filed on March 25, 2002, requesting that the above-identified application be accorded a filing date of December 4, 2001, including pages 58-60 of the specification.

The application was filed on December 4, 2001. However, on January 24, 2002, the Office of Initial Patent Examination (OIPE) mailed a "Notice of Omitted Items in a Nonprovisional Application" that stated the application had been accorded a filing date, but that pages 58, 59 and 60 of the specification appear to have been omitted.

In response, on March 25, 2002, the instant petition and copies of pages 58-60 of the specification were submitted. The papers were accompanied by a copy of applicant's postcard receipt that acknowledges receipt of two hundred twenty (220) pages of application, on December 4, 2001. A review of the application file indicates the presence of two hundred seventeen (217) pages of application. It is assumed that pages 58, 59 and 60 of the specification were misplaced by the Office.

In view of the above, the petition is granted.

The \$130.00 petition fee has not been charged.

This application will be returned to OIPE for further processing with a filing date of December 4, 2001, using the copies of pages 58, 59 and 60 of the specification, supplied on March 25, 2002.

Telephone inquiries concerning this matter may be directed to Petitions Attorney Edward Tannouse at (703) 306-9200.

Beverly M. Flanagan
Supervisory Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy